

Order

Michigan Supreme Court
Lansing, Michigan

May 30, 2006

Clifford W. Taylor,
Chief Justice

130428

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 130428
COA: 256567
Berrien CC: 2003-412008-FH

JERRY JONATHAN NEWBERRY,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the December 6, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

KELLY, J., would hold this case in abeyance for *People v Drohan*, lv gtd 472 Mich 881 (2005).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 30, 2006

Corbin R. Davis

Clerk